

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

R.A.No.298-CII of 2016 (O&M) in
F.A.O.No.7374 of 2010
Date of Decision: March 02, 2017

Sharad Sood

...Petitioner

Versus

Haryana Urban Development Authority & another

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.Vishal Garg, Advocate,
for the applicant-respondents.

AMIT RAWAL, J. (Oral)

Prayer in the application is for reviewing the order dated 28.8.2015 passed by this Court allowing the present appeal on the ground that while passing the impugned order, the specific note given at the end of the allotment letter, wherein it was clearly mentioned that the allottee shall be liable to pay interest @ 18% was not considered. While referring the matter to the Arbitrator, a clear direction was given to conclude the dispute within a period of three months. It was also directed that if the Arbitrator comes to a conclusion that the possession of the plot had, in fact, been offered on 24.2.1992, the allottee shall be liable to pay interest in terms of clause 5 of the allotment letter, but as per the note given in the allotment letter, the applicant-respondents can claim interest for the period when the matter was not pending before this Court and the payment was delayed.

I have heard the learned counsel for the applicant-respondents.

The condition imposed in the end of the allotment letter does not reflect whether the plot has actually been allotted to the allottee or not. In my view, the order under challenge is perfectly legal and justified and does not call for any review or appreciation. On going through the contents of the review application, it is prima-facie proved that an attempt is being made to re-submit arguments and re-agitate the controversy under the garb of the review application, , which is not permissible.

Accordingly, the applications are dismissed.

March 02, 2017
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No